

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

*In Re: Zillow Group, Inc. Session
Replay Software Litigation*

This Document Refers to: All Actions

Master File No. 2:22-cv-01282-JLR

**MOTION FOR OVERLENGTH
FILING PURSUANT TO
LOCAL CIVIL RULE 7**

NOTE ON MOTION CALENDAR:
May 31, 2023

Pursuant to Local Civil Rule (“LCR”) 7(f), Defendants Microsoft Corporation and Zillow Group, Inc. request leave to file over-length briefs in support of their motions to dismiss Plaintiffs’ Consolidated Class Action Complaint, which are due on June 6, 2023.

This action involves nine individually named plaintiffs, two defendants, a putative nationwide class pursuing two claims under Washington law, five alternative statewide classes pursuing nine alternative claims under the laws of four other states, and complex questions of statutory interpretation. The usual word limit of 8,400, *see* LCR 7(e)(3), is not sufficient in this case; and so Defendants respectfully seek leave to file opening briefs of 11,900 words each—i.e., 3,500 words over the limit. Plaintiffs take no position on this motion.

This expanded word limit is commensurate with or less than those approved by this Court in other complex cases, including cases less complex than that here. *See, e.g., California Expanded Metal Pros. Co. v. Klein*, Case No. C18-0659JLR, 2021 WL 4078072, at *1 (W.D. Wash. Sept. 8, 2021) (Robart, J.) (allowing 50 pages, or approximately 17,500 words for opening brief in case involving five patent- and contract-related claims brought by two

plaintiffs against two defendants); *see also, e.g., McMahon v. World Vision, Inc.*, No. 2:21-CV-00920, Dkt. No. 21, at *1 (W.D. Wash. Apr. 5, 2023) (Robart, J.) (allowing 10,500 words for opening brief in case involving only one plaintiff, one defendant, and two causes of action).

Accordingly, Defendants respectfully ask the Court to grant leave for Defendants to file their forthcoming motions to dismiss Plaintiffs' Consolidated Amended Complaint consistent with a 11,900 word limit.

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